

**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT**

**RICHARD GERO,**  
**Plaintiff**

**v.**

**CORRECTIONS CORPORATION OF  
AMERICA, DONNA STIVERS,  
SHERRI CAMPBELL,  
ROBERT HOFMANN,  
Defendants**

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**File No. 1:07-CV-81**

**ORDER**

The Magistrate Judge's Report and Recommendation was filed December 18, 2007 (Paper 15). After de novo review and over objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1).

Defendants' motion to dismiss (Paper 13) is GRANTED in part and DENIED in part. All claims against defendant Hofmann are DISMISSED. The Court hereby transfers this case to the United States District Court for the Eastern District of Kentucky, pursuant to 28 U.S.C. § 1406.

WHEREFORE, it is hereby

ORDERED, that the Clerk of Court transfer this action to the United States District Court for the Eastern District of Kentucky; and it is further

ORDERED, that ten (10) days after the date of the service of this Order, the Clerk is instructed to notify the Clerk of the United States District Court for the

Eastern District of Kentucky, by sending a certified copy of this Order, along with a letter that provides instructions for obtaining a read-only, court user account for use in obtaining (retrieving) the electronic record of this case from the District's CM/ECF database; and it is further

ORDERED, that the Clerk serve a copy of this Order on the parties by regular mail.

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 23<sup>rd</sup> day of January, 2008.

/s/ J. Garvan Murtha  
J. Garvan Murtha  
United States District Judge